

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: Repealed and replaced with the following rule: DMR Regulation 95.09 WW, Closed Area No. 53-A, Pleasant River and south end of Dyer Cove, Addison, promulgated on October 20, 1994 is repealed and replaced with the following:

TEXT OF RULE: DMR Regulation 95.09 WW, Closed Area No. 53-A, Pleasant River, the south end of Dyer Cove and Batson Brook, Addison.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters and mussels from all shores, flats and waters of the following areas of the Pleasant River, Addison: (1) upstream and northerly of a line beginning at the most southern tip of land forming the north side of Dyer Cove, and running easterly to the most western point of land on the north side of the mouth of Knowles Brook; **AND** (2) the south end of Dyer Cove, inside and southerly of a line beginning at the most northern prominence of Whites Point and running northwesterly (about 300 yards) to a red post on the shore of Dyer Cove; **AND** (3) this closes the cove at the mouth of Batson Brook, easterly of a line beginning on the western most point of land on the north side of the mouth of the brook, then running due south approximately 270 yards to a red painted post on the south shore of the cove.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. 6204).

EFFECTIVE DATE: January 3, 2000

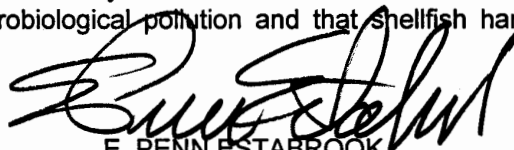
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BANGOR DAILY NEWS
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STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency rule DMR Regulation 95.09 WW, Closed Area No. 53-A, Pleasant River and south end of Dyer Cove, Addison, promulgated on October 20, 1994 and replaces it with a new rule. This new addition to the rule closes the cove at the mouth of Batson Brook to shellfish harvesting.

Department personnel have sampled and surveyed these areas and have determined that the closed portions are subject to intermittent microbiological pollution and that shellfish harvest must be prohibited to protect the public health.


E. PENN ESTABROOK
Deputy Commissioner



Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

For: Addison

53A, Pleasant River, the south end of Dyer Cove, and Batson Brook.

